

USAWC STRATEGY RESEARCH PROJECT

THE TRIAD OF NATIONAL SECURITY
LEGISLATION FOR THE 21ST CENTURY

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ABSTRACT

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America faces a challenge today not unlike the challenge faced at the end of World War II. A new enemy has emerged and our security structure is ill-prepared for the new challenge. Call it a paradigm shift, a new grand strategy, a revolution in security affairs, or simply a timely evolution necessitated by a brazen enemy bent on our destruction, but America needs to revise its national security apparatus for the environment of the 21st century. More specifically, it is time to enact three vital pieces of legislation aimed at improving the effectiveness, cooperation, and coordination of all actors on the national security stage. First, our current national security structure is obsolete and unable to deal with today's problems, especially the need for well coordinated and viable interagency solutions. There is no one in charge of national security short of the President. Second, our intelligence infrastructure is fractured and unable to cope with contemporary threats. An overhaul of intelligence systems was clearly obvious after the 9/11 bombings. Third, the Goldwater-Nichols legislation of 1986 did wonders to jump-start the process of jointness in the Department of Defense; however, we need to take the next step in order to deal with our new and complex missions. Only by enacting all three parts of the triad of legislation can the United States be ready to deal with current and future threats.

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THE TRIAD OF NATIONAL SECURITY LEGISLATION FOR THE 21ST CENTURY

In the struggle for survival, the fittest win out at the expense of their rivals because they succeed in adapting themselves best to their environment.

—Charles Darwin

America faces a challenge today not unlike the challenge faced at the end of World War II. A new enemy has emerged and our national security structure and programs are ill-prepared for the new challenge. Call it a paradigm shift, a new grand strategy, a revolution in security affairs, or simply a timely evolution necessitated by a creative enemy bent on our destruction, but America needs to revise its national security apparatus for the environment of the 21st century. More specifically, it is time to enact legislation aimed at improving the effectiveness, cooperation, and coordination of all actors on the national security stage. To accomplish this, legislation is required in three areas. First, we must reform our national security organization from a Cold War structure to a responsive and flexible structure able to coordinate all elements of national power for our national security agenda. Second, our intelligence community is ill-equipped to handle asymmetric and non-state threats as evidenced by the horrific attacks of 9/11.¹ Third, we must change the way we train, educate, and assign personnel to our security organizations. Only through this triad of ground-breaking legislation will we regain and maintain the initiative in the 21st century.

Of the three vital pieces of legislation, structure is clearly the foundation the other two will build upon. Once the proper organization is in place, the intelligence to support its mission is critical but secondary to a proper apparatus that can exploit timely intelligence inputs. Lastly, a reliable organization ought to be filled with inter-agency focused, educated, national security experts able to take their place in any of the national security sub-organizations.

FIRST STEP—NATIONAL SECURITY STRUCTURE

There have been two major legislative changes to our national security structure in the past 60 years—the National Security Act of 1947 and the Homeland Security Act of 2002. Both changes were necessitated by the strategic environment of the time. A short review of those environments and a summary of major changes will help to explain why another major revision is essential.

The post World War II (WWII) period saw immense changes. America was coming out of hibernation from the isolationist period that preceded the war. The United States, as a victor of WWII, sustained incredibly little damage to its national power and infrastructure, and along

with the Soviet Union, became one of the world's superpowers. However, problems before and during the war caused us to look critically at the proper arrangement for our post-war security structure to determine what institutions required adjustments. First, an unthinkable disaster rocked our nation—Pearl Harbor. Could we have known about this ahead of time? What went wrong? How were the Japanese able to attack us with such a force and maintain the element of surprise? Second, even if we knew about the attack a few hours ahead of time what could have been done about it? The Army and Navy on Pearl Harbor did not, and quite possibly could not, coordinate operations. Those departments did not even work for the same person in the chain of command until you got to the President of the United States. Their cultures and operational procedures were so markedly different as to make constructive coordination nearly impossible. Third, a recognition that the military element of national power, although arguably the strongest, was not the only element of power. It became apparent that all elements of power had to come together in order to articulate a proper strategy.^{2,3}

The National Security Act of 26 July 1947 attempted to correct these problems.⁴ The act created the National Security Council (NSC) which serves under the President and is comprised of significant members of the President's cabinet including the Secretary of State and the Secretary of Defense. The new Secretary of Defense position directed not only the previously independent Army and Navy, but also a new department called the Department of the Air Force. The Secretary of Defense headed the new National Defense Establishment (later to receive a name change to the current Department of Defense). Another innovation was the creation of the Central Intelligence Agency (CIA) and at its helm, the Director of Central Intelligence (DCI). The NSC's main function was to coordinate a coherent foreign policy.⁵ Both the DCI and the Chairman of the Joint Chiefs of Staff (CJCS) became independent advisors to the NSC.

On face value, it appears that the National Security Act of 1947 should have corrected many of the deficiencies of WWII. A Secretary of Defense now coordinated the efforts of all military departments; a CIA with its DCI was responsible for national intelligence (hoping to not get surprised again); and the NSC coordinated all the elements of national power when it came to foreign policy. However, the NSC is a tool of the President, and with each successive administration, the NSC changes to meet the needs of that President. Some NSC organizations did better at this than others, and personalities of the members of the NSC played no small part in success or failure. Decision-making requires information flow between members of the NSC and the departments. Whether stifled by personalities, a dominant department secretary, or an inadequate structure, policy decision-making was not always effective and timely.⁶

Although there is much talk of coordination in the national security bureaucracy, it may not be the best word to describe the process. Coordination seems to imply more of an administrative process taken upon a series of possibly related events. What is most critical about the NSC is the strategic thought process that leads to the coordinated strategy. Strategy created in each of the various departments and brought to the NSC for coordination will not work. It must be a holistic and synergistic product of the different perspectives of the NSC members, their staffs, and the NSC staff. The State Department lacks military proficiency, the Defense Department lacks diplomatic skills, and therefore, neither can create an integrated strategy on their own, not to mention the strategic input from the economic and informational elements of our national policy-making institutions.⁷

The Homeland Security Act of 2002 was the most significant reorganization of the national security structure since the National Security Act of 1947. The new security environment of post-September 11, 2001 necessitated the need for sweeping changes. Terrorist organizations found vulnerabilities and exploited them. The mission for homeland security did not belong to any government agency alone. It fell upon about 100 various departments and agencies within our government. The Homeland Security Act was meant to improve our intelligence efforts, reinforce our ability to defend the homeland, and most importantly, improve the coordination among those 100 or so organizations. In essence, it creates a single unified department that can respond to the changing environment.⁸

But does this organization solve the problem? If successful, the department should be able to respond not only to natural disasters but also to a host of other threats including terrorism and its threat to homeland security. Some experts argue that this organization does nothing to solve the quandary of interagency coordination and cooperation. The huge agency of 170,000 people does not have the budget or the power to make agencies such as the Federal Bureau of Investigation and the CIA cooperate.⁹

WHAT ARE THE ALTERNATIVES?

There are some interesting developments coming to the forefront. Religious and ethnic issues, non-state actors, globalization (not only of an economic nature but of information as well), a growing value of technologies, and the emergence of new actors on the world stage wielding significant elements of power, force us to rethink our governmental, economic, and societal norms.¹⁰ Admiral Arthur K. Cebrowski in the July/August 2004 issue of *The Officer* does a wonderful job at bounding the problem. He states:

"The challenges facing us do not merely require us to redefine the military piece of national security for an environment lacking a 'traditional' battlefield threat. We must forge the broader internal and international security instruments necessary to support U.S. leadership in a world where accelerating change and increasing ambiguity are dominant features, and where threats can adapt and evolve more rapidly than we are transforming."¹¹

In 1997 the National Defense Panel (NDP), chaired by Philip A. Odeen, recommended a number of sweeping changes for national security. Among them are:

- "Undertake a thorough national security review to determine if existing structures and procedures are appropriate to twenty-first century needs.
- Expand the statutory members of the National Security Council to include the Secretary of the Treasury and the Attorney General (President Bush does include these two cabinet members).
- Establish a fully integrated national crisis center to consolidate foreign policy, intelligence, military representatives, and domestic agency personnel, including liaison with state and local authorities.
- Modify current legislation to streamline the transfer of funds within and among agencies in the national security community, allowing decision-makers to provide resources to the agency or agencies best suited for the task.
- Establish an interagency long-range, strategic planning process to ensure the long-term consequences of near-term decisions are taken into account."¹²

Undoubtedly, these are major recommendations not only for the Department of Defense but most other government agencies and systems, as well. They attempt to balance the playing field. In them exists the possibility of a stable, long-term, interagency arena where no one department becomes hegemonic; where resources and personnel for one organization can move to other organizations when needed. This may be well-suited for international or domestic disaster relief, but what about national defense and the costly process of warfighting or even nation-building? On the surface they appear to leave in place the same structures from the National Security Act of 1947. Although completed a few years prior to the horrific terrorist acts of 11 September, these recommendations are an excellent foundation to build upon.

In order to construct deep but flexible footings into the interagency process we have to take even more drastic measures. The real question is who is going to lead the process and will that interagency leader have the requisite authority to formulate strategy, calculate policy, and execute actions to achieve our objectives? Clearly, the NDP recommendations fall short. There is no power granted to any one person or organization, short of the President. Now Stephen A.

Cambone in *A New Structure for National Security Policy Planning* goes much further. He recommends the creation of a “National Security Directorate (NSD)” that would develop, plan, and execute policies and operations as directed by the President. The NSD would have five subordinate directorates: Crisis Management, Regional Affairs, Home Defense Affairs, Finance and Trade, and Science and Technology. The President would be the Director of the National Security Directorate. A cabinet-level secretary would also be a principal member, National Security Directorate (PNSD), heading each of the subordinate directorates. For each assigned mission, secretaries would make available or amass the personnel and resources essential to plan and execute.

Another recognized cabinet-level position would be the Deputy Director of the NSD (DDNSD). The DDNSD would replace the current National Security Adviser. There still exists the current Departments of Defense, State, Education, etc., and those secretaries are still cabinet members. However, only some of them would be dual-hatted (two jobs) as cabinet members and PNSD’s in the NSD. Lastly, the existing statutory national security advisors, CJCS and DCI, would be augmented with the PNSD’s and be called the Council of Advisors.¹³ These recommendations take a much steeper course. Cambone reorganizes the National Security Council structure, vying for an organizational structure much more likely to have the power to compel interagency cooperation, or at least bring the necessary resources together. Although the President is still in a lead role, the DDNSD emerges as significant player—much empowered. The DDNSD can coordinate the previous State Department diplomatic actions, some treasury powers, elements of what is currently the purview of the Department of Homeland Security, and the significant actions of the Secretary of Defense for crisis management and in his Homeland Defense role. That is if the President grants him or her that authority.

Cambone’s work, although written in 1998 and before 9/11, comes very close to a solution; however, it falls short of subordinating current Secretaries of State, Defense, Homeland Security under another. There still exists the potential for interagency non-cooperation. A possibly even bigger question, which Cambone does not cover in any detail, is the role the intelligence community plays in all of this and where it will fit in the post 9/11 architecture. Cambone’s ideas are evolutionary, and again, are good groundwork to construct upon, but the interagency process still requires further development.

THE WAY AHEAD

There can be some major pitfalls recommending a way ahead. First, our government is huge. It is a bureaucracy that perhaps rivals any other bureaucracy ever existing on the planet. Can we carve the perfect organization out of this bureaucracy short of putting everything under one person who is still subordinate to the President? What is paramount is leadership, which can sometimes overcome poor organization. A President with a strong foreign policy and defense team, coupled with experienced cabinet members who understand the necessity of teamwork, can overcome many of the dilemmas we face today. However, the complexities of today's environment and the intricacies of foreign policy and defense dictate the need for a superior organizational structure.¹⁴

A more centralized organization may be answer—at least a promising solution for the next 50 years or so. Just as the National Security Act of 1947 formed an organization designed for the Cold War, a new apparatus could be built for our current environment.¹⁵ It would still be an evolutionary organization that takes the functions of State Department, Department of Defense, Department of Homeland Security (DHS), and parts of others like the FBI and Treasury to become a “National Security Department” with the obvious ability to create coordinated strategy and policy. The leader, called the Secretary of National Security (SNS), is a title which has been called for in the past but not explored in any detail.¹⁶ The new department would have as its subordinates Defense, Foreign Policy and Regional Affairs, Finance, and Homeland Security. The FBI's terrorism functions would also move to the new department and operate within the National Counter Terrorism Center (NCTC). The intelligence infrastructure to support the organization and the NCTC will be addressed shortly, but intelligence is a clear enabler for the Department of National Security.¹⁷ A possible organization is shown below in Figure 1.

Even though it appears many of the current departments involved in national security affairs would be subordinate to the SNS, a more likely arrangement is that of the military service chiefs to the CJCS—first among equals. One option Cambone discusses does reference this type of array.¹⁸ There would still be a need for National Security Council-like organization that would come together at the direction of the President and may include more members than those in the Department of National Security. This would help ease the transition and uneasy feelings that might persist in any new organization, especially one of such critical importance. The SNS is then more of a coordinator and enabler than that of an executer, which would still be

left to the subordinate departments with guidance from the SNS. The departments are more service-like under this proposal.

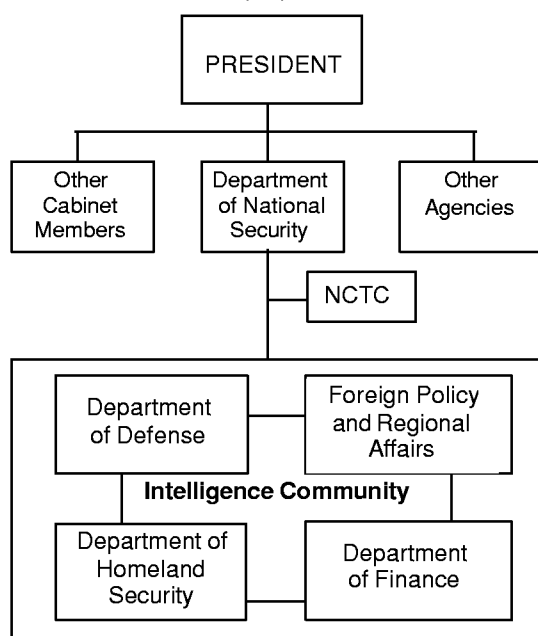


Figure 1—Proposed National Security Structure

The foremost effect would be that no policy, strategy, or action would come through the SNS to the President without the requisite, interagency coordination—something that has been problematic with our current apparatus.

As previously acknowledged, you cannot take every department and put them under one person. So what are the proper departments or functions to be subjugated to the Department of National Security? The proposal in figure 1 is just a start, as this is an evolution which may have to be adjusted with continuing legislation, not unlike the plethora of minor updates to the National Security Act of 1947. The final structure, whatever it may look like, must be able to coordinate the elements of national power in order to meet the security needs for our current environment. Certain aspects of diplomacy, military might, economics, and information must fall under its control in order for the department to be effective.¹⁹ One obvious advantage of the proposed organization, assuming a legislative nod, is the ability to shift resources from one department to another. The SNS, for example, could move monies and people from one organization to another in times of crisis.

With the movement of people from one department to another comes the challenge of training and educating interagency actors in way that allows them to make the transition. Imagine the synergy you would obtain with a cadre of personnel who not only fully understand the intricacies of diplomacy but also comprehend the limitations of military force. These people would transcend the disparate cultures that inhabit the interagency today. Some have already called for such a program.²⁰ This is the third part of the triad and will be covered in more detail shortly.

An organizational structure such as this does have some disadvantages. The greatest of which is the appearance, real or perceived, of a great amount of power in the hands of one person who is not the President. This can be mitigated by proper selection and congressional approval; however, it is a valid concern and one that warrants more thought if this organization moves forward. Another concern would be the subordination of current cabinet members under another. Even though all would retain cabinet status this may be a showstopper unless egos are kept in check or leadership (by the President and Congress) thwarts the opposition. A short-term downside will be the gap in effectiveness, real or perceived, that our enemies might try to exploit as this new organization begins its existence.

STEP TWO—INTELLIGENCE

The 9/11 commission, chaired by former New Jersey governor Thomas H. Kean, certainly had a lot of advice and recommendations to offer in the area of intelligence reform. A look through the 585 page document reveals that more than 20 percent of it discusses the intelligence failures, tries to determine the root causes, and finally ends with some groundbreaking recommendations for the future intelligence community.²¹ A review of their report is certainly important, but let us first consider the Intelligence Community prior to 9/11.

The "Intelligence Community" was actually first defined in 1992 after Congress passed a series of amendments to the National Security Act of 1947 and, prior to that, it was part of an Executive Order.²² A summary of these amendments follows:

"Among other things, these amendments:

- recognized three specific roles for the DCI: head of the Intelligence Community, principal intelligence adviser to the President, and head of the CIA;
- made the DCI responsible for creating a centralized process for establishing requirements and priorities for intelligence collection and analysis;
- made the DCI responsible for developing and presenting to the President and Congress an annual budget for national foreign intelligence activities;

- provided that the DCI would formulate guidance for and approve the budgets of agencies within the Intelligence Community and that the concurrence of the DCI must be obtained before agencies could use or “reprogram” appropriated funds for other purposes;
- gave the DCI authority to shift personnel and funds within national intelligence programs to meet unexpected contingencies, provided the affected agency head(s) did not object;
- made the DCI responsible for the coordination of the Intelligence Community relationships with foreign governments;
- as head of the CIA, made the DCI responsible for providing overall direction for the collection of national intelligence through human sources; and
- required the Secretary of Defense to consult with the DCI with respect to appointments of the Directors of the National Security Agency (NSA), National Reconnaissance Office (NRO), and the Defense Intelligence Agency (DIA), and to appoint the head of the Central Imagery Office (now NGA) based upon the recommendation of the DCI.²³

According to this summary, the DCI wields considerable authority within the Intelligence Community, including some authority over the Secretary of Defense. To take a contrary view, the Department of Defense spends 85 percent of the total intelligence budget and has 85 percent of the intelligence personnel. So who is really in control of the Intelligence Community and is the DCI the honest broker when he controls only 15 percent of the resources?²⁴

RECOMMENDATIONS BEFORE 9/11

In 1994 Congress chartered the Commission on the Roles and Capabilities of the U.S. Intelligence Community to review the activities of the Intelligence Community in a post-Cold War era. They eventually considered the issues surrounding centralization or decentralization. The argument for decentralizing held that the DCI ought to focus on his main role of advising the President. In that role, he would continue to evaluate all intelligence but would only attempt to guide the greater Intelligence Community through budgeting advice. The commission refuted this position and opted to support a more centralized system for three primary reasons. First, even though the majority of the intelligence budget is for the Department of Defense, the analysis must support many other agencies and departments and DCI oversight would mean that non-defense related intelligence priorities would get the requisite attention. Second, the DCI is the overall coordinator of the entire intelligence system, making sure that all parts are working in concert with one another. This may be the most challenging aspect of the DCI's job. Third, the Intelligence Community must labor jointly whether in peacetime or in a crisis.

President Truman created the DCI position in 1947 due to the tragedy of Pearl Harbor; he did not want to see that repeated.²⁵

The 1994 commission did consider a number of organizational options, including giving the DCI greater authority over other elements of the Intelligence Community (namely NGA, NSA, and NRO), creating a Director of National Intelligence (DNI) and subordinating the DCI to the DNI, and lastly empowering the DCI with additional authorities to help him support the entire Intelligence Community better.²⁶ The idea of creating a DNI had appeal but was actually rejected by this commission for fear that the DCI would be removed as a principal adviser to the President. The CIA has a very unique role in U.S. intelligence and must be permitted to convey operational results directly to the President. In this option the analytical function of the CIA would move to the DNI.²⁷ This rejected option most closely resembles the recommendations of the 9/11 Commission and mirrors much of the legislation recently passed by Congress.²⁸

9/11 COMMISSION REPORT

The 9/11 Commission report details a number of significant reorganizations within the Intelligence Community. More importantly, the "9/11 Report" summed up current deficiencies in the Intelligence Community. First and foremost it says the DCI, although responsible for the Intelligence Community, does not possess three significant authorities: "(1) control of purse strings, (2) the ability to hire and fire senior managers, and (3) the ability to set standards for the information infrastructure and personnel."²⁹ To improve the effectiveness and efficiency of the Community, the Commission recommends the addition of a National Intelligence Director or NID above the DCI. The NID will have two very specific responsibilities. First, he will have oversight of all national intelligence centers in certain areas (namely all-source analysis and intelligence operations) spanning the entire U.S government. Second, management of the entire intelligence program and oversight of all agencies with intelligence functions (currently 15 agencies are in the Intelligence Community) is required.³⁰ Again this is very similar to the 1994 commission report option of creating a DNI. Figure 2 shows the new organization.³¹ Counterterrorism is of such importance that a separate center (apart from the other national intelligence centers) called the National Counterterrorism Center (NCTC) is now proposed and would sit within the Executive Office of the President.³²

LINKAGE TO THE NEW SECURITY STRUCTURE

At first glance, it appears that the 9/11 Commissions' recommendations fit very closely with the national security organizational proposal in Figure 1. The supporting agencies on the

left side of Figure 2, Foreign Intel, Defense Intel, and Homeland Intel, match almost perfectly to the departments within the Department of National Security. So, is there a problem? The answer is, possibly. The first issue is whether these subordinate intelligence agencies will be responsive as part of a new overarching “super intelligence agency” and that is a question of great current debate.^{33,34} Of particular concern will be the relationships developed between the subordinate departments in the Department of National Security and the subordinate agencies under the NID and, more importantly, the amount of latitude given to the Intelligence Community to coordinate directly with their counterparts. If they are permitted and encouraged to work together seamlessly, then there is no problem.

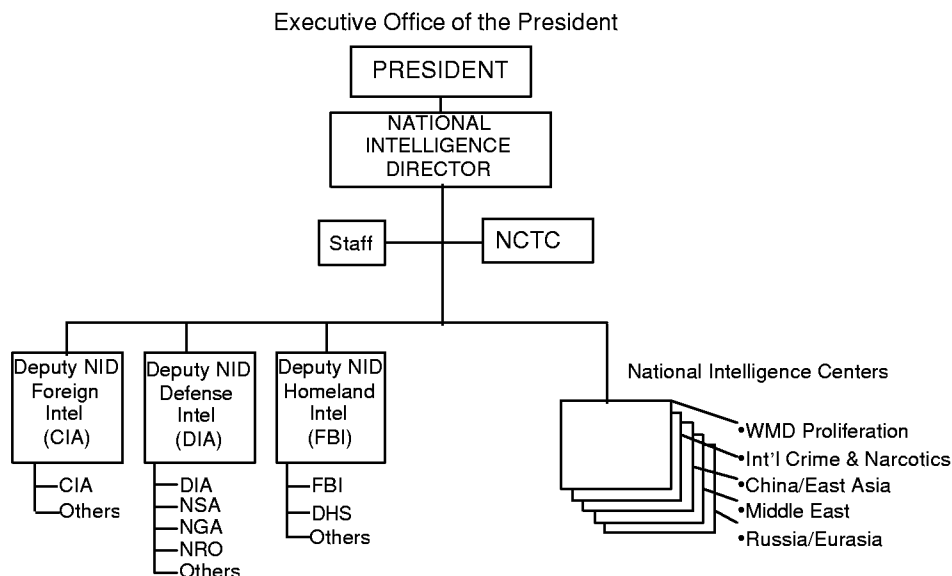


Figure 2—9/11 Commission Recommendation for Unity of Effort in Managing Intelligence

Secondly, there is still the issue of coordination across the intelligence agencies. No doubt having a National Intelligence Director with ultimate hiring and firing ability, budget authority and the ability to set priorities within the subordinate agencies will solve much of the infighting and power struggles that plagued the Community prior to 9/11.³⁵ Upon further analysis, this organization does not appear to have the “first among equals” approach of the service chiefs. In other words, there is clearly someone in charge—the NID. The President must

choose the NID carefully and get the proper nod from Congress. This individual must be an adept strategist, skilled administrator, and have a talent for intelligence.

The NID will still be the principal adviser to the President and directly supervise the NCTC. However, nothing precludes the President from requesting advice directly from any of the subordinate agencies or National Intelligence Centers.³⁶ In fact, that may be a more appropriate method to ensure the President does not lack the necessary decision-making information at the critical time.

Overall, the 9/11 Commission intelligence organization fits nicely into the proposed National Security Structure. The NID and the DNS will be most critical members of the President's Cabinet, able to wield significant authorities in peacetime, but more importantly, in crises. Their combined efforts will bring a much greater level of effectiveness to interagency operations. Now the final question remains, how do we create a team of interagency experts to staff these organizations?

THE NEXT GOLDWATER-NICHOLS

In 1986 Congress passed ground-breaking legislation aimed at forcing the four military services to work together. The landmark law led to joint commands, new education programs, joint training, and other joint institutions devoted to enhancing the efficiency and effectiveness of military operations. There were actually eight objectives within the legislation but only three of them are critical to this discussion—improving military advice to the President, improving management of joint officers, and enhancing the effectiveness of military operations.³⁷ If these objectives are transposed to focus on national security and the interagency process as a whole, instead of just the military aspect, then the objectives for a new Goldwater-Nichols would be to improve national security advice to the President, improve management of national security employees and officers, and enhance the effectiveness of the interagency concerning national security issues.

CREATING NATIONAL SECURITY EXPERTS

The first objective may be a moot point, already satisfied by the proposed Department of National Security and reorganized Intelligence Community to support it. With most of the agencies under the Department of National Security and a revitalized, focused intelligence effort to support them, the Secretary of National Security and the National Intelligence Director will benefit significantly from the organization and thus provide the President with timely information, upon which national security decisions are made.

The second and third objectives are tied together; that is, if you improve the abilities of the team of national security personnel, it will lead to more effective interagency operations. The Phase 1 report, "Beyond Goldwater-Nichols: Defense Reform for a New Strategic Era from the Center for Strategic and International Studies is particularly insightful. They conclude:

"While the passage of the new National Security Personnel System legislation gives the Secretary of Defense significantly broadened latitude to reshape the future of DoD's civilian workforce, substantial additional steps are needed to attract, retain, motivate and reward a quality and high-performing corps of defense professionals. We recommend therefore that Congress establish a new Defense Professionals Corps to attract the best and brightest civilians to serve in DoD and to provide greatly expanded opportunities for professional development and career advancement. Training, education, and required interagency rotations for senior-level career appointments should become centerpieces of the new personnel system.

We further recommend that the Secretary of Defense should create a "personnel float" over the next five years of about a 1000 career civilian billets (GS-12 through SES) in OSD and defense agencies to enable education, training and rotations. Congress should also reassess overly restrictive ethics rules to enable defense professionals to more easily move in and out of government service over the course of their careers and limit the number of political appointees to enhance the incentives associated with career service."³⁸

To build a team of national security experts, these recommendations need to be taken a step further and applied across the entire Department of National Security. The critical part of these recommendations is the "training, education, and required interagency rotations for senior level" personnel. Imagine the synergy created when the upper-level staff in Defense has served in the Homeland Security or with the State Department. Barriers to interagency cooperation and coordination would crumble. In fact, even the 9/11 Commission references some of these same viewpoints within the Intelligence Community and discusses Goldwater-Nichols type legislation.³⁹ Even before 9/11, the National Defense Panel recommended creating an "interagency cadre of professionals."⁴⁰

One of the problems that has plagued such a solution in the past is the problem of the "unwelcome returnee." If the State Department sent one of their employees to the Defense Department for a two year assignment, no one was left at State to fill the vacated position. The "1000 personnel float" will now ensure there is a replacement, but what happens when that State Department employee returns? Usually, he or she is unwelcome and viewed as having not put in the requisite time and effort into State Department issues to get promoted or is seen as going over to the "other side." This is exactly the type of problem encountered by the military services that sent their officers to assignments in joint headquarters before Goldwater-Nichols was passed. When they returned to their own service there was uneasiness. Even though the

services initially opposed Goldwater-Nichols, it did attain many of its objectives. Joint officer management is in much better shape today. But what of the professional military officer and how does he fit into this process?

JOINT SERVICE BRANCH

The future military officer, as part of the Department of National Security, will increasingly work with other agencies on many various and complex missions such as peacekeeping, counter-narcotics, security assistance, human rights, arms control, post-conflict reconstruction, and homeland security. This officer will need to understand more than just the element of military power to become a national security expert.⁴¹ One tour on the Joint Staff or in DOD will not be enough experience to facilitate the needed abilities to effectively work these multifaceted issues. To play effectively on the interagency stage, Defense must build a core of true joint and interagency specialists—a Joint Service Branch.

A Joint Service Branch would contain officers from all services that, after becoming competent in their service (Army, Navy, Air Force, Marine, and Coast Guard), would voluntarily transition to the Joint Service Branch. An officer would probably make the transition to the Joint Service Branch at mid-career (12-14 years), when they are somewhat service competent. Joint Service Branch officers would expect to spend the remainder of their careers in joint assignments or within the staffs of other agencies, just as their senior-level civilians' counterparts will rotate within the national security interagency. This will build enduring relationships between the military and other agencies that do not exist today. After one or two rotations with another agency, the officer would come back to DOD with enhanced knowledge, keen understandings, and better able to coordinate all elements of national power.

Don Snider in *Parameters* recommended many of the same ideas. He believes that the intent of the current Goldwater-Nichols Act has not been achieved. Essentially, the joint community receives an officer for only 2.6 years on average and that, coupled with a brief educational encounter, is not enough time to make an officer proficient in joint matters. He further states:

“Clearly, what this approach has not developed is “joint warfare professionals” in the sense that they are: (1) military and civilian professionals deeply schooled in a unique and necessary body of expert knowledge and its practice, and (2) collective members of an esteemed profession who respond with moral commitment to a “calling” to that knowledge and its adaptation and practice in service to the nation.”⁴²

Schooling is a very significant aspect of the entire national security personnel system. To that end there have even been recommendations to transform the National Defense University into

more of a National Security University for educating not only military officers, but national security civilians as well.⁴³ This would complete the next Goldwater-Nichols and the transformation of our National Security apparatus.

CONCLUSION

In order to make the interagency process viable, some drastic but not quite revolutionary changes are required. Just as the National Security Act of 1947 and the structures it put in place prepared this nation for the Cold War, legislative changes are required to enable the United States to successfully battle the enemies we face in the 21st century. The interagency process is disjointed and cumbersome, not due to a lack of effort, but to a lack of organization. Bringing the process of security under the control of one organization has great benefits and a few disadvantages. Coordinating all elements of national power in a synergistic approach, the proposed Department of National Security, enabled with an intelligence infrastructure, can shift valuable resources between departments to maximize all efforts in forming, synchronizing, and executing strategies. Clearly, one department charged with security has the wherewithal to bring all the diverse interagency cultures together for a specific purpose to be determined by the President. It also has the ability to fashion creative, well thought-out policy and the strategy to match.

Driving the national security process with timely, accurate intelligence is a necessary step in the process. Already through Congress, the 9/11 bill clearly contains the evolutionary measures recommended above. The second part of the triad is well on its way.

Lastly, organization is great, but if not staffed by professionals who are educated, trained, and motivated by a career in the exigent realm of national security, we face a losing battle with those who would oppose us. We must realize that the complex issues facing us cannot be solved with people that lack the vital understanding of the entire problem. Problems should be addressed as a whole and not fractured into non-recognizable parts that get attention in separate agencies by people who are deficient in knowledge of other elements of national power.

Undoubtedly, there will be greater challenges to our national security in the future. Predicting the future may not be possible, but organizing a flexible organization ready to proactively formulate a coherent approach to our security is entirely in the realm of reality. Whether we continually react to threats with an outdated apparatus remains to be seen. Our enemies already know some of our weaknesses and continue to exploit them when possible. A

new apparatus may be just what is needed to take the initiative away from those who would do us harm.

The greatest good that can come from these changes is making interagency coordination and cooperation obligatory vice voluntary or worse yet, accidental. The constructive residual effects are a well-educated and emboldened team of national security experts, all working for one secretary who now controls the national security pool of resources. This is a crucial first step in the ongoing evolution to protect our country.

WORD COUNT = 5995

ENDNOTES

¹ 9/11 Commission, "*The 9/11 Commission Report*," available from <http://www.9-11commission.gov/report/911Report.pdf> ; Internet; accessed 3 December 2004.

² Douglas T. Stuart, ed. *Organizing for National Security* (Carlisle Barracks: Strategic Studies Institute, 2000), 232.

³ James P. Pinkerton, "Commentary; In Hindsight, Warning are Clear; Pearl Harbor to Sept. 11, the Signs were Obscured," *Los Angeles Times*, 17 May 2002, sec B, p. 17 [database on-line]; available from ProQuest; accessed 21 September 2004.

⁴ David Jablonsky, "The State of National Security State," *Parameters* 32 (Winter 2002/2003): 4-6 [database on-line]; available from ProQuest; accessed 21 September 2004.

⁵ Office of the Historian, Bureau of Public Affairs, Department of State, "*History of the National Security Council, 1947-1997*," available from <http://www.fas.org/irp/offdocs/NSChistory.htm> ; Internet; accessed 19 September 2004.

⁶ Ibid.

⁷ James C. Gaston, ed. *Grand Strategy and the Decisionmaking Process* (Washington, D.C.: National Defense University Press, 1992), 144.

⁸ George W. Bush. "*The Department of Homeland Security, June 2002*," available from <http://www.whitehouse.gov/deptofhomeland/book.pdf> ; Internet; accessed 19 September 2004.

⁹ Thomas E. Ricks, "A Question of Implementation," *The Washington Post*, 7 June 2002, sec A, p. 1 [database on-line]; available from ProQuest; accessed 21 September 2004.

¹⁰ Arthur K. Cebrowski, "Transformation and the Changing Character of War," *The Officer* 80, Iss. 6 (July/August 2004): 51 [database on-line]; available from ProQuest; accessed 21 September 2004.

¹¹ Ibid, p. 52.

¹² National Defense Panel, *Transforming Defense: National Security in the 21st Century* (Washington, DC: U.S. Department of Defense, December 1997), 80-81.

¹³ Stephen A. Cambone, *A New Structure for National Security Policy Planning* (Washington, DC: Center for Strategic and International Studies, October 1998) p. 55-60.

¹⁴ Aston B. Carter and John P. White, eds., *Keeping the Edge* (Cambridge, MA: MIT Press, 2001) p. 269.

¹⁵ Rick Inderfurth, "Abolish the National Security Council; A Global Policy Council would deal with issues of the post-Cold War world," *The Washington Post*, 21 June 1992, sec C. p. 7 [database on-line]; available from ProQuest; accessed 21 September 2004.

¹⁶ Ibid, p. 273.

¹⁷ Elisabeth Bumiller and David E. Sanger, "Bush, as Terror Inquiry Swirls, Seeks Cabinet Post on Security," *The New York Times*, 7 June 2002, sec A, p.1 [database on-line]; available from ProQuest; accessed 21 September 2004.

¹⁸ Cambone, p. 81.

¹⁹ Critics will challenge the idea of this "Super Department" for just that reason—it is a Super Department. But in a post-9/11 world the elements of national power that are essential to national security should not be coordinated and focused by chance. Bringing them together under one organization, at a minimum, will lead to quality discussions and interaction among all interagency actors and that in turn will provide well-thought out policy recommendations to the President in a timely manner. Perhaps the biggest opposing point will be the apparent power of the Secretary of National Security. Again, this can be kept in check by Congress (through oversight and appointee approval) and the President. This is not just another layer of bureaucracy, in fact, it is just the opposite. The Department of National Security will break down the barriers of effectiveness that have hampered the interagency in the past. The SNS can force coordination—something that has never been achievable in the past. Last is the issue of taking current cabinet members and subordinating them under a new secretary. If the transition to the Department of National Security is accomplished at the same time a new administration enters office then there should be a little less consternation. Of course, this is ego dependent, but if the new political appointee desires the job, then he or she will accept the terms.

²⁰ National Defense Panel, p.66.

²¹ 9/11 Commission, pp. 1-585.

²² Commission on the Roles and Capabilities of the United States Intelligence Community. "Preparing for the 21st Century: An appraisal of U.S. Intelligence," 23 February 1996; available from <http://www.fas.org/irp/offdocs/reform.htm>; Internet; accessed 16 December 2004.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid.

²⁸ "Senate OKs Intelligence Overhaul Bill," 9 December 2004; available from <http://www.cnn.com/2004/ALLPOLITICS/12/08/intelligence.bill>; Internet; accessed 11 December 2004.

²⁹ 9/11 Commission, p. 410.

³⁰ Ibid, pp. 410-411.

³¹ Ibid, p. 413.

³² Ibid, p. 411.

³³ John Diamond, "Some Already Resisting Changes in U.S. Intelligence Structure," 22 July 2004; available from http://www.usatoday.com/news/washington/2004-07-22-changes-opposition_x.htm; Internet; accessed 29 September 2004.

³⁴ Stephen Barr, "Intelligence Agencies Next in Line for Reorganization," *The Washington Post*, 3 August 2004, sec B, p. 2 [database on-line]; available from ProQuest; accessed 30 November 2004.

³⁵ Commission on the Roles and Capabilities of the United States Intelligence Community.

³⁶ 9/11 Commission, pp. 412-414.

³⁷ Clark A. Murdock et al., *Beyond Goldwater-Nichols, Defense Reform for a New Strategic Era* (Washington, DC: Center for Strategic and International Studies, March 2004) p. 14-17.

³⁸ Ibid, p. 9.

³⁹ 9/11 Commission, p.8.

⁴⁰ National Defense Panel, p. 66.

⁴¹ Stuart, p.188.

⁴² Don M. Snider, "Jointness, Defense Transformation, and the Need for a New Joint Warfare Profession," *Parameters* (Autumn 2003): 17-22.

⁴³ National Defense Panel, p.66.

BIBLIOGRAPHY

- 9/11 Commission. "The 9/11 Commission Report." Available from <http://www.9-11commission.gov/report/911Report.pdf>. Internet. Accessed 3 December 2004.
- Barr, Stephen. "Intelligence Agencies Next in Line for Reorganization." *The Washington Post*, 3 August 2004, sec B, p. 2. Database on-line. Available from ProQuest. Accessed 30 November 2004.
- Bumiller, Elisabeth and David E. Sanger. "Bush, as Terror Inquiry Swirls, Seeks Cabinet Post on Security." *The New York Times*, 7 June 2002, sec A, p.1. Database on-line. Available from ProQuest. Accessed 21 September 2004.
- Bush, George W. "The Department of Homeland Security, June 2002." Available from <http://www.whitehouse.gov/deptofhomeland/book.pdf>. Internet. Accessed 19 September 2004.
- Cambone, Stephen A. *A New Structure for National Security Policy Planning*. Washington, DC: Center for Strategic and International Studies, October 1998.
- Carter, Aston B. and John P. White, eds. *Keeping the Edge*. Cambridge, MA: MIT Press, 2001.
- Cebrowski, Arthur K. "Transformation and the Changing Character of War." *The Officer* 80, Iss. 6 (July/August 2004): 51-56. Database on-line. Available from ProQuest. Accessed 21 September 2004.
- Commission on the Roles and Capabilities of the United States Intelligence Community. "Preparing for the 21st Century: An appraisal of U.S. Intelligence." 23 February 1996. Available from <http://www.fas.org/irp/offdocs/reform.htm>. Internet. Accessed 16 December 2004.
- Department of State, Bureau of Public Affairs, Office of the Historian. "History of the National Security Council, 1947-1997." Available from <http://www.fas.org/irp/offdocs/NSChistory.htm>. Internet. Accessed 19 September 2004.
- Diamond, John. "Some Already Resisting Changes in U.S. Intelligence Structure." 22 July 2004. Available from http://www.usatoday.com/news/washington/2004-07-22-changes-opposition_x.htm. Internet. Accessed 29 September 2004.
- Gaston, James C., ed. *Grand Strategy and the Decisionmaking Process*. Washington, D.C.: National Defense University Press, 1992.
- Inderfurth, Rick. "Abolish the National Security Council; A Global Policy Council would deal with issues of the post-Cold War world." *The Washington Post*, 21 June 1992, sec C. p. 7. Database on-line. Available from ProQuest. Accessed 21 September 2004.
- Jablonsky, David. "The State of National Security State." *Parameters* 32 (Winter 2002/2003): 4-6. Database on-line. Available from ProQuest. Accessed 21 September 2004.
- Luttwak, Edward N. *Strategy: The Logic of War and Peace*. Cambridge: Harvard University Press, 1987.

- Macgregor, Douglas A. *Transformation Under Fire*. Westport: Praeger Press, 2003.
- Murdock, Clark A., Michele A Flournoy, Christopher A. Williams, and Kurt M Campbell. *Beyond Goldwater-Nichols, Defense Reform for a New Strategic Era*. Washington, DC: Center for Strategic and International Studies, March 2004.
- National Defense Panel. *Transforming Defense: National Security in the 21st Century*. Washington, DC: U.S. Department of Defense, December 1997.
- Pincus, Walter. "Bush's Intelligence Moves Don't Attain Scope Urged by 9/11 Panel." *The Washington Post*, sec A, p. 4. Database on-line. Available from ProQuest. Accessed 30 November 2004.
- Pinkerton, James P. "Commentary; In Hindsight, Warning are Clear; Pearl Harbor to Sept. 11, the Signs were Obscured." *Los Angeles Times*, 17 May 2002, sec B, p. 17. Database on-line. Available from ProQuest. Accessed 21 September 2004.
- Ricks, Thomas E. "A Question of Implementation.," *The Washington Post*, 7 June 2002, sec A, p. 1. Database on-line. Available from ProQuest. Accessed 21 September 2004.
- "Senate OKs Intelligence Overhaul Bill." 9 December 2004. Available from <http://www.cnn.com/2004/ALLPOLITICS/12/08/intelligence.bill>. Internet. Accessed 11 December 2004.
- Shenon, Philip. "9/11 Report Calls for a Sweeping Overhaul of Intelligence." *The New York Times*, 23 July 2004, sec A, p. 1. Database on-line. Available from ProQuest. Accessed 30 November 2004.
- Shenon, Philip. "Pentagon Cautious on Intelligence Changes." *The New York Times*, 12 August 2004, sec A, p. 16. Database on-line. Available from ProQuest. Accessed 30 November 2004.
- Shenon, Philip. "Negotiators Said to be Close To Agreement on 9/11 Bill." *The New York Times*, 19 November 2004, sec A, p. 23. Database on-line. Available from ProQuest. Accessed 30 November 2004.
- Snider, Don M. "Jointness, Defense Transformation, and the Need for a New Joint Warfare Profession." *Parameters* (Autumn 2003): 17-22.
- Stuart, Douglas T, ed. *Organizing for National Security*. Carlisle Barracks: Strategic Studies Institute, 2000.
- Sun Tzu. *The Art of War*. Translated by Samuel B. Griffith. New York: Oxford University Press, 1963.